



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

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Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

Thomas A. Faha
Regional Director

August 3, 2015

Mr. John Marshall
Executive Vice President and General Manager
Bingham and Taylor
601 Nalle Place
Culpeper, VA 22701

Location: Culpeper, Virginia
Registration No: 40075
County-Plant No: 51-047-00004

Dear Mr. Marshall:

Attached is a permit to operate your grey iron foundry pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

The permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on December 14, 1998 and solicited written public comments by placing a newspaper advertisement in the Culpeper Star Exponent on May 16, 2015. The thirty day comment period (provided for in 9 VAC 5-80-270) expired on June 15, 2015 with no comments having been received in this office.

This approval to operate does not relieve Bingham and Taylor of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
P.O. Box 10009
Richmond, Virginia 23240-0009

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please call Tom Valentour at (703) 583-3931.

Sincerely,

A handwritten signature in black ink, appearing to read "James B. LaFratta", with a stylized flourish at the end.

James B. LaFratta
Regional Permit Manager

Attachment: Permit

cc: Director, OAPP (electronic file submission)
Chief, Permits and Technical Assessment Branch (3AP11), U.S. EPA, Region III



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Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300, of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Bingham and Taylor Corporation
Facility Name: Bingham and Taylor
Facility Location: 601 Nalle Place
Culpeper, VA 22701

Registration Number: 40075
Permit Number: NRO-40075

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Pages 4 through 30)

August 3, 2015
Effective Date

August 2, 2020
Expiration Date

Thomas A. Faha
Thomas F. Faha, Regional Director

August 3, 2015
Signature Date

Table of Contents, 1 page
Permit Conditions, 30 pages

Table of Contents

Facility Information.....	1
Emission Units.....	2
Metal Melting Requirements - (F-CP-SU, F-CP, and F-MM&C-MM).....	4
Limitations	4
Monitoring	6
Recordkeeping	8
Testing	9
Mold and Core Production Requirements - (F-C&M-SP-28, F-C&M-SP-29 and F-C&M-SP)	9
Limitations	9
Monitoring	10
Recordkeeping	11
Testing	11
Painting, Coating and Adhesives Application Requirements - (MSC-PB1, MSC-ADT AND AS-1).....	12
Limitations	12
Recordkeeping	12
NESHAP for Iron and Steel Foundries Area Sources (40 CFR 63, SUBPART ZZZZZ)....	13
Facility Wide Conditions	16
Limitations	16
Recordkeeping	17
Testing	17
Insignificant Emission Units	18
Permit Shield & Inapplicable Requirements	19
General Conditions	21

Facility Information

Permittee

Bingham and Taylor
P.O. Box 939
Culpeper, VA 22701

Responsible Official

John Marshall
Executive Vice President and General Manager

Facility

Bingham and Taylor
601 Nalle Place
Culpeper, VA 22701

Contact Person

John Marshall
Executive Vice President and General Manager
(540) 825-8334

County-Plant Identification Number: 51-047-00004

Facility Description: NAICS Code: 331511 [SIC Code 3321] - This U.S. industry comprises establishments primarily engaged in pouring molten pig iron or iron alloys into molds to manufacture castings, (e.g., cast iron man-hole covers, cast iron pipe, cast iron skillets). Establishments in this industry purchase iron made in other establishments.

The facility is a gray iron foundry which produces metal castings (e.g., valve boxes and related parts) and plastic moldings. The primary process operations associated with the metal casting are furnace charge preparation, metal melting and casting, coring & molding and cleaning & finishing. The metal melting is accomplished via a cupola using coke as the fuel source. A portion of the metal castings produced are coated with an asphalt dip, while some are painted. As part of the plastic molding parts assembly, glues/adhesives are used.

Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
Metal Melting							
F-CP-SU	Fugitive	Coke start-up on natural gas (a.k.a. coke charging station) (pre 1972)	0.6 mmBtu/hr (heat input)	None	N/A	N/A	None
F-CP	Fugitive	Cupola charge preparation consisting of lime stone, coke and scrap iron (pre 1972)	9718 lbs/hr	None	N/A	N/A	None
F-MM&C-MM	CS-1	Cupola (pre 1972)	10 tons/hr (melted iron) 13.5 mmBtu/hr (coke burned)	Griffin Baghouse	BH-2	PM, Lead, Metal HAPs	10/4/13
Mold and Core Production							
F-C&M-SP-28	BH-4 (vented inside building)	Sand Plant Storage Bin	77 tons (storage capacity)	DCE Dalamatic Baghouse	BH-4/FM1	PM	7/31/2014
F-C&M-SP-29	BH-3 (vented inside building)	Sand Plant Storage Bin	38 tons (storage capacity)	DCE Dalamatic Baghouse	BH-3/FM2	PM	7/31/2014
F-C&M-SP	BH-1 (vented inside building)	Sand Plant (including sand Mueller (Ref. No.	100 tons/hr	Techniflo Baghouse	BH-1	PM, Metal HAPs	10/4/2013 & 7/31/2014

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description*	PCD ID	Pollutant Controlled	Applicable Permit Date
		27), core making/baking, cleaning & finishing operations)					
Painting, Coating & Adhesive Applications							
MSC-PB1	PB1	Paint booth for 'traffic paint' coating of metal parts	2.5 gallons/hr	Global Finishing Solutions fabric filtration	PB1	PM	10/4/2013
MSC-ADT	Fugitives	Asphalt dip coating of metal parts	Unknown	None	N/A	N/A	10/4/2013
AS-1	Fugitives	Pipe Cement/Adhesive (dipped or hand applied)	Unknown	None	N/A	N/A	10/4/2013

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

Metal Melting Requirements - (F-CP-SU, F-CP, and F-MM&C-MM)

Limitations

1. **Emission Controls** – Particulate matter (PM), including lead and metal hazardous air pollutants (HAPs) emissions from the Cupola shall be controlled by a fabric filter baghouse (BH-2). BH-2 is a four cell baghouse installed in parallel, and each baghouse cell is monitored individually by a static differential pressure gauge. The four static differential pressure gauge readings shall be between 2 and 6 inches of water column. The baghouse shall be provided with adequate access for inspection and shall be in operation when the Cupola furnace is operating.
(9 VAC 5-80-110 and Condition 2 of 10/4/2013 State Operating Permit)
2. **Fuel** – The approved fuel for the Cupola is coke having a sulfur content not to exceed 1.0 percent by weight per shipment. The approved fuel for coke charging station is natural gas. A change in the fuels may require a permit to modify and operate.
(9 VAC 5-80-110)
3. **Throughput** – The throughput of iron charged to the Cupola shall not exceed 10,000 tons per year, calculated monthly as the sum of each consecutive twelve month period.
(9 VAC 5-80-110 and Condition 7 of 10/4/2013 State Operating Permit)
4. **Emission Limits (PM)** – Particulate matter emissions (filterable fraction) from the Cupola fabric filter baghouse shall not exceed 24.0 pounds per hour. This emission rate shall apply during the melt time but shall not apply during the time of preheat or preparing for shutdown. The exemption for preheating and shutdown shall be limited to two 20-minute periods in a given eight-hour period for the furnace unit.
(9 VAC 5-40-2410 and 9 VAC 5-80-110)
5. **Emission Limits (SO₂)** – Sulfur dioxide emissions from the Cupola shall not exceed 35.64 pounds per hour.
(9 VAC 5-40-280.B and 9 VAC 5-80-110)
6. **Emission Limits (Pb)** – Lead compound emissions from the Cupola shall not exceed 1.1 pounds per ton of iron charged and 5.5 tons per year. These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition 3, or other means as approved by DEQ.
(9 VAC 5-80-110 and Condition 15 of 10/4/2013 State Operating Permit)
7. **Visible Emission Limit** – Visible emissions from the Cupola fabric filter baghouse exhaust shall not exceed twenty percent (20%) opacity except during one (1) six-minute period in any one hour in which visible emissions shall not exceed sixty percent (60%) opacity as

determined by EPA Reference Method 9 (40 CFR Part 60, Appendix A).
(9 VAC 5-80-110, 9 VAC 5-40-80 and Condition 17 of 10/4/2013 State Operating Permit)

8. **Scrap Metal Work Practice Standards** – The facility shall operate at all times according to the approved written plan (dated November 26, 2013) for the selection and inspection of iron scrap to minimize, to the extent practical, the amount of organic and HAP metals in the charge material used by the Cupola in the iron foundry. The plan shall include the following information, at a minimum:
- a. A material acquisition program to limit organic contaminants for scrap charged to a Cupola metal melting furnace, specifications for scrap metal to be depleted (to the extent practicable) of the presence of plastic, and a program to ensure the scrap materials are drained of free liquids.
 - b. A materials acquisition program specifying that the scrap supplier remove accessible mercury switches from the trunk and hoods of any automotive bodies contained in the scrap and remove lead components such as batteries and wheel weights. Notifications under this program shall be consistent with those outlined in 40 CFR 63, Subpart ZZZZZ, including scrap supplier notifications.
 - c. Procedures for visual inspection of a representative portion, but not less than ten percent, of all incoming scrap shipments to ensure the materials meet the specifications.
 - i. The inspection procedures shall identify the location(s) where inspections are to be performed for each type of shipment. Inspections may be performed at the scrap supplier's facility. The selected location(s) must provide a reasonable vantage point, considering worker safety, for visual inspection.
 - ii. The inspection procedures shall include recordkeeping requirements that document each visual inspection and the results.
 - iii. The inspection procedures shall include provisions for rejecting or returning entire or partial scrap shipments that do not meet specification.
 - iv. If the inspections are performed at the scrap supplier's facility, the inspection procedures must include an explanation of how the periodic inspections ensure that not less than ten percent of scrap purchased from each supplier is subject to inspection.

The facility shall keep a copy of the plan onsite and readily available to all plant personnel with material acquisition or inspection duties. The facility shall also provide a copy of the material specifications to each of its scrap vendors in accordance with 40 CFR 63, Subpart ZZZZZ.

(9 VAC 5-80-110 and Condition 6 of 10/4/2013 State Operating Permit)

Monitoring

9. **Monitoring Devices** – The Cupola baghouse (BH-2) shall be equipped with a device to continuously measure differential pressure across the baghouse. The monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as minimum, the manufacturer's written requirements or recommendations. The monitoring device shall be provided with adequate access for inspection and shall be in operation when the cupola is operating.
(9 VAC 5-80-110, and Condition 4 of 10/4/2013 State Operating Permit)
10. **Monitoring Device Observation** – To ensure good performance, the monitoring device used to continuously measure pressure drop across the Cupola baghouse (Condition 9) shall be observed by the permittee with a frequency of not less than once per day each day the Cupola is in operation. If the observed readings are outside the 'normal' differential pressure range as stated in Condition 1 of this permit, the permittee shall investigate the cause of the 'abnormal' readings and take appropriate corrective actions. The permittee shall keep a log of the observations and readings from the differential pressure monitoring devices and the details (date and nature) of all corrective actions made in response to 'abnormal' readings. The log shall include the readings from the individual differential pressure monitoring devices maintained on each bag house cell used to demonstrate normal operating conditions as outlined in this permit.
(9 VAC 5-80-110 and Condition 5 of 10/4/2013 State Operating Permit)
11. **Periodic Monitoring** – At least one time per calendar day that the Cupola is operating, the permittee shall make an observation for the presence of visible emissions from the Cupola fabric filter baghouse exhaust. The presence of visible emissions shall require the permittee to:
 - a. Take timely corrective action such that the emissions point, with visible emissions, resumes operation with no visible emissions, or,
 - b. Conduct a visible emission evaluation (VEE) on the emissions point, with visible emissions, in accordance with EPA Method 9 (reference 40 CFR Part 60, Appendix A) for a minimum of six (6) minutes, to assure visible emissions are 20 percent opacity or less, as required by Condition 7. If any of the observations exceed the opacity limitation of 20 percent, the observation period shall continue until a total of sixty (60) minutes of observation have been completed. Timely corrective action shall be taken, if necessary, such that the emissions point resumes operation within the 20 percent opacity limit.

The permittee shall maintain an emissions point observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, the results of all VEEs, any necessary corrective action, and the name of the observer. If an emissions point has not been operated for any period during the day, it shall

be noted in the log book.

(9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

12. **Periodic Monitoring (Cupola Baghouse Inspections)** – The permittee shall conduct an ‘initial’ inspection of the Cupola baghouse (BH-2) no later than 60 days after the effective date of this permit. Following the initial inspection, the permittee shall perform periodic inspections and maintenance of the baghouse. The permittee shall perform the initial and periodic inspections of the baghouse according to the requirements specified later in this permit condition. The permittee shall record the results of each initial and periodic inspection and any maintenance action.

For the initial inspection of the baghouse, the permittee shall visually inspect the intake system ductwork (cupola to the baghouse) and the baghouse unit for leaks. The permittee shall also visually inspect the inside of the baghouse for structural integrity and fabric filter condition. Following the initial inspections, the permittee shall inspect and maintain the baghouse according to the requirements specified below:

- a. Conduct monthly visual inspections of the intake system (cupola to the baghouse) ductwork for leaks.
- b. Conduct visual inspections of the interior of the baghouse for structural integrity and to determine the condition of the fabric filter every 6 months.

(9 VAC 5-80-110 E and 9 VAC 5-80-110 K)

13. **Fabric Filter Dust Sampling and Analysis** – The permittee shall sample and analyze* dust collected by the Cupola fabric filter baghouse at least once during each calendar year. The dust samples shall be analyzed for metal HAP content using SW-846 Methods or other DEQ approved methods. The results of the analysis shall be reported to the Regional Air Compliance Manager of the DEQ’s NRO within sixty calendar days of the date the sample was collected and shall include:

- a. Concentration of HAP metals/metal compounds;
- b. Analysis method selected;
- c. Sample mass;
- d. Date sample collected;
- e. Location of dust sample taken;
- f. Date of analysis; and
- g. Company and individual conducting the analysis.

Test results shall be utilized to verify the emission factors used in the calculations referenced in Condition 14.d.

*Samples taken as required by this permit shall be analyzed in accordance with 1 VAC 30-45, Certification for Noncommercial Environmental Laboratories, or 1 VAC 30-46, Accreditation for Commercial Environmental Laboratories
(9 VAC 5-80-110 and Condition 21 of 10/4/2013 State Operating Permit)

Recordkeeping

14. Records (Cupola) – The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Regional Air Compliance Manager, DEQ's Northern Regional Office. These records shall include, but are not limited to:

- a. The annual consumption of coke, calculated monthly as the sum of each consecutive 12-month period.
- b. Records of all coke shipments purchased, indicating the sulfur content per shipment.
- c. Annual throughput of iron charged (in tons), calculated monthly as the sum of each consecutive 12-month period.
- d. Annual lead emissions from the foundry operations, calculated monthly as the sum of each consecutive 12-month period. The permittee shall use calculation methods approved by the Regional Air Compliance Manager, DEQ's Northern Regional Office, to verify compliance with the annual lead emission limit contained in Condition 6.
- e. The Scrap Metal Work Practice Standards Plan, to demonstrate compliance with Condition 8.
- f. Documentation of all scrap metal inspections and results.
- g. Results of all fabric filter dust analyses conducted in accordance with Condition 13.
- h. Operation, control device monitoring and inspection records for the Cupola baghouse (BH-2) to demonstrate compliance with Conditions 10 and 12.
- i. Records of the visible emission and opacity observations of the Cupola baghouse (BH-2) as required by Condition 11.
- j. Results of all stack tests, visible emission evaluations, and performance evaluations.

Compliance for the consecutive twelve month period in subsections a, c and d shall be

demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110 F and Condition 25 of the 10/4/2013 State Operating Permit)

Testing

15. **Emissions Testing** – The Cupola baghouse exhaust shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Sampling ports shall be provided when requested at the appropriate locations and safe sampling platforms and access shall be provided.

(9 VAC 5-80-110 and Conditions 22, 23 and 24 of the 10/4/2013 State Operating Permit)

Mold and Core Production Requirements - (F-C&M-SP-28, F-C&M-SP-29, and F- C&M-SP)

Limitations

16. **Emission Controls** – Particulate matter emissions from the sand plant operation shall be controlled by a fabric filter baghouse (Ref. No. BH-1), bin vent filters (Ref. No. FM1 & FM2) and building enclosure. The fabric filter baghouse (BH-1) shall be operated with a normal pressure drop reading between 3 and 7 inches of water column, utilizing high efficiency filter media. Under no circumstances shall the equipment be operated without the associated bin vent filter or fabric filter baghouse being utilized. The fabric filter baghouse and bin vent filters shall be provided with adequate access for inspection. Any re-location of the baghouse to an exterior location would require a permitting review by the DEQ. The facility may relocate the existing baghouse within the same interior building area provided notification of such relocation is provided to the DEQ in advance.

(9 VAC 5-80-110 and Condition 2 of 7/31/2014 mNSR Permit)

17. **Emission Controls** – The fabric filter baghouse (BH-1) shall maintain a design control efficiency of no less than 99.99 percent. Compliance may be determined by manufacturer's specifications or stack testing.

(9 VAC 5-80-110 and Condition 3 of 7/31/2014 mNSR Permit)

18. **Emission Controls** – Dust emissions from the truck unloading and conveying operations for both the sand and binder products shall be controlled by fabric filters (FM1 & FM2). The systems shall be provided with adequate access for inspection.

(9 VAC 5-80-110 and Condition 4 of 7/31/2014 mNSR Permit)

19. **Throughput** – The throughput of sand from the sand muller (Ref. No. 27) shall not exceed 140,000 tons per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 8 of 7/31/2014 mNSR Permit)
20. **Throughput** – The throughput of shell core sand through the sand plant and shell core production process shall not exceed 5,000 tons per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 8 of 10/4/2013 State Operating Permit)
21. **Throughput** – The throughput of cold box resin sand through the sand plant and cold box core production process shall not exceed 5,000 gallons per year, calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 9 of 10/4/2013 State Operating Permit)
22. **Emission Limits** – Controlled emissions (BH-1) from the operation of the sand muller (Ref. No. 27) shall not exceed the limits specified below:

	<u>lbs/hr</u>	<u>tons/yr</u>
Particulate Matter (PM)	14	14.0
PM10	14	14.0
PM2.5	14	14.0

The above emissions are derived from the estimated overall emission contribution from operating limits. Compliance with these emission limits may be determined as stated in Condition 19.

(9 VAC 5-80-110 and Condition 9 of 7/31/2014 mNSR Permit)

Monitoring

23. **Monitoring Devices** - The bin vent filters (FM1 & FM2) and fabric filter baghouse (BH-1) shall be equipped with a device to continuously measure the differential pressure across the fabric filter. The devices shall be installed in an accessible location and shall be maintained by the permittee such that they are in working order at all times.
(9 VAC 5-80-110 and Condition 2 of 7/31/2014 mNSR Permit)
24. **Monitoring Device Observation** – To ensure good performance, the baghouse (BH-1) differential pressure monitoring device shall be observed by the permittee with a frequency of not less than once per day that the bag house is in operation. If the observed readings are outside the 'normal' static differential pressure range as stated in Condition 16 of this permit, the permittee shall investigate the cause of the 'abnormal' readings and take appropriate corrective actions. The permittee shall keep a log of the observations from the baghouse differential pressure monitoring device and details (date and nature) of all corrective actions made in response to 'abnormal' readings.
(9 VAC 5-80-110 and Condition 7 of 7/31/2014 mNSR Permit)

Recordkeeping

25. Records (Mold & Core Production) – The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Regional Air Compliance Manager, DEQ's Northern Regional Office. These records shall include, but are not limited to:

- a. The annual throughput of sand (as referenced in Condition 19), calculated monthly as the sum of each consecutive 12-month period.
- b. Log of all daily baghouse monitoring device observations as required by Condition 24.
- c. Records indicating hours that the sand miller (Ref. No. 27) operated to include the time and date.
- d. Annual throughput of shell core sand, calculated monthly as the sum of each consecutive 12-month period.
- e. Annual throughput of shell cold box resin, calculated monthly as the sum of each consecutive 12-month period.
- f. Material Safety Data Sheets (MSDS), Certified Product Data Sheets (CPDS), or other vendor information as approved by DEQ, showing hazardous air pollutant (HAP) content for each resin and binder used.

Compliance for the consecutive twelve month period in subsections a, d and e shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110 F, Condition 12 of 7/31/2014 mNSR Permit and Condition 25 of the 10/4/2013 State Operating Permit)

Testing

26. Emissions Testing – The fabric filter baghouse (BH-1) exhaust shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Sampling ports shall be provided when requested at the appropriate locations and safe sampling platforms and access shall be provided.

(9 VAC 5-80-110 and Conditions 10 and 11 of 7/31/2014 mNSR Permit)

Painting, Coating and Adhesives Application Requirements - (MSC-PB1, MSC-ADT and AS-1)

Limitations

27. **Throughput (MSC-ADT)** – The throughput of asphalt paint used in the metal surface coating process shall not exceed 25,000 gallons per year, calculated as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 10 of the 10/4/2013 State Operating Permit)
28. **Throughput (MSC-ADT)** – The throughput of mineral spirits used in the metal surface coating process shall not exceed 15,000 gallons per year, calculated as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 11 of the 10/4/2013 State Operating Permit)
29. **Throughput (MSC-PB1)** – The throughput of traffic paint used in the metal surface coating process shall not exceed 3,500 gallons per year, calculated as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 12 of the 10/4/2013 State Operating Permit)
30. **Throughput (AS-1)** – The throughput of Weldon glue used in the plastic valve box manufacturing area shall not exceed 5,000 gallons per year, calculated as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 and Condition 13 of the 10/4/2013 State Operating Permit)

Recordkeeping

31. **Records (Painting Coating and Adhesives Application)** – The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Regional Air Compliance Manager, DEQ's Northern Regional Office. These records shall include, but are not limited to:
 - a. Annual throughput of asphalt paint, calculated monthly as the sum of each consecutive 12-month period.
 - b. Annual throughput of mineral spirits, calculated monthly as the sum of each consecutive 12-month period.
 - c. Annual throughput of traffic paint, calculated monthly as the sum of each consecutive 12-month period.

- d. Annual throughput of Weldon glue, calculated monthly as the sum of each consecutive 12-month period.
- e. Material Safety Data Sheets (MSDS), Certified Product Data Sheets (CPDS), or other vendor information as approved by DEQ, showing volatile organic compound (VOC) content (VOC) and hazardous air pollutant (HAP) content for each coating, paint, and adhesive used.

Compliance for the consecutive twelve month period in subsections a, b, c and d shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110 F, Condition 12 of 7/31/2014 mNSR Permit and Condition 25 of the 10/4/2013 State Operating Permit)

National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries – Area Sources (Small Foundries) – 40 CFR Part 63, Subpart ZZZZZ

- 32. **Metallic Scrap Management Program** – The permittee shall comply with the metallic scrap management program requirements under §63.10885(a). The permittee shall keep a copy of the material specifications onsite and readily available to all personnel with material acquisition duties, and provide a copy to each of the facility scrap providers. The permittee may have certain scrap subject to either of the options at its facility, provided the metallic scrap remains segregated until charge make-up.
(9 VAC 5-60-90, 9 VAC 5-60-100, 9 VAC 5-80-110, §63.10885 (a) and Condition 6 of the 10/4/2013 State Operating Permit)
- 33. **Mercury Requirements** – The permittee shall comply with one of the mercury requirement options under §63.10885(b) for each scrap provider, contract, or shipment. The permittee may have one scrap provider, contract, or shipment subject to one compliance provision and other subject to another compliance provision.
(9 VAC 5-60-90, 9 VAC 5-60-100, 9 VAC 5-80-110, §63.10885 (b) and Condition 6 of the 10/4/2013 State Operating Permit)
- 34. **Binder Formulations** – The permittee shall use a binder chemical formulation that does not use methanol as a specific ingredient of the catalyst formulation for each furfuryl alcohol warm box mold or core making line. This requirement does not apply to the resin portion of the binder system.
(9 VAC 5-60-90, 9 VAC 5-60-100, 9 VAC 5-80-110 and §63.10886)

35. Recordkeeping – As designated by §63.10890(d) of 40 CFR Part 63, Subpart ZZZZZ, the permittee shall comply with the recordkeeping requirements of the subpart, which include:

- a. Maintain files of all information (including all reports and notifications) for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.
- b. The permittee shall maintain records of the information specified below according to the requirements in 40 CFR §63.10(b)(1):
 - (i) Records supporting the initial notification of applicability and the notification of compliance status according to §63.10(b)(2)(xiv).
 - (ii) Records of written materials specifications according to §63.10885(a) and records that demonstrate compliance with the requirements for restricted metallic scrap in §63.10885(a)(1) and/or for the use of general scrap in §63.10885(a)(2) and for mercury in §63.10885(b)(1) through (3), as applicable. The permittee must keep records documenting compliance with §63.10885(b)(4) for scrap that does not contain motor vehicle scrap.
 - (iii) If subject to the requirements for a site-specific plan for mercury switch removal under §63.10885(b)(1), the permittee must:
 - (1) Maintain records of the number of mercury switches removed or the weight of mercury recovered from the switches and properly managed, the estimated number of vehicles processed, and an estimate of the percent of mercury switches recovered; and
 - (2) Submit semiannual reports of the number of mercury switches removed or the weight of mercury recovered from the switches and properly managed, the estimated number of vehicles processed, an estimate of the percent of mercury switches recovered, and a certification that the recovered mercury switches were recycled at RCRA-permitted facilities. The semiannual reports must include a certification that the permittee has conducted periodic inspections or taken other means of corroboration as required under §63.10885(b)(1)(ii)(C). The permittee must identify which option in paragraph §63.10885(b) applies to each scrap provider, contract, or shipment. The permittee may include this information in the semiannual compliance reports required under §63.10890 (f) (Condition 36 of this permit).
 - (iv) If subject to the option for approved mercury programs under §63.10885(b)(2), the permittee must maintain records identifying each scrap provider and documenting

the scrap provider's participation in an approved mercury switch removal program. If the permittee purchases motor vehicle scrap from a broker, the permittee must maintain records identifying each broker and documentation that all scrap provided by the broker was obtained from other scrap providers who participate in an approved mercury switch removal program.

- (v) Records to document use of binder chemical formulation that does not contain methanol as a specific ingredient of the catalyst formulation for each furfuryl alcohol warm box mold or core making line as required by §63.10886. These records must be the Material Safety Data Sheet (provided that it contains appropriate information), a certified product data sheet, or a manufacturer's hazardous air pollutant data sheet.
- (vi) Records of the annual quantity and composition of each HAP-containing chemical binder or coating material used to make molds and cores. These records must be copies of purchasing records, Material Safety Data Sheets, or other documentation that provides information on the binder or coating materials used.
- (vii) Records of metal melt production for each calendar year.

(9 VAC 5-60-90, 9 VAC 5-60-100, §63.10890, 9 VAC 5-80-110, and Condition 25 of the 10/4/2013 State Operating Permit)

36. **Reporting** – The permittee must submit semiannual compliance reports to the Regional Air Compliance Manager, DEQ's Northern Regional Office according to the requirements in §63.10(e). The report must clearly identify any deviation from the pollution prevention management practices in §63.10885 or §63.10886 and the corrective action taken.
(9 VAC 5-60-90, 9 VAC 5-60-100, §63.10890 and 9 VAC 5-80-110)
37. **Reporting** – The permittee has submitted a written notification to the Regional Air Compliance Manager, DEQ's Northern Regional Office of the initial classification of the facility as a small foundry as required in §63.10880(f) and (g), as applicable, The Facility must submit a written notification to the Regional Air Compliance Manager, DEQ's Northern Regional Office for any subsequent reclassification as required in §63.10881(d)(1) or (e), as applicable.
(9 VAC 5-60-90, 9 VAC 5-60-100, §63.10890 and 9 VAC 5-80-110)
38. **Reporting** – Following the initial determination for an existing affected source as a small foundry, if the annual metal melt production exceeds 20,000 tons during the preceding year, the permittee must comply with the requirements for large foundries by the applicable dates in §63.10881(d)(1)(i) or (d)(1)(ii). Following the initial determination for a new affected source as a small foundry, if the permittee increases the annual metal melt capacity to exceed 10,000 tons, the permittee must comply with the requirements for a large foundry by the applicable dates in §63.10881(e)(1).
(9 VAC 5-60-90, 9 VAC 5-60-100, §63.10890 and 9 VAC 5-80-110)

39. **General Provision Requirements** – The permittee must comply with the following requirements of the General Provisions (40 CFR part 63, subpart A): §§63.1 through 63.5; §63.6(a), (b), (c), and (e)(1); §63.9; §63.10(a), (b)(1), (b)(2)(xiv), (b)(3), (d)(1), (d)(4), and (f); and §§63.13 through 63.16. Requirements of the General Provisions not cited in the preceding sentence do not apply to the owner or operator of a new or existing affected source that is classified as a small foundry.
(9 VAC 5-60-90, 9 VAC 5-60-100, §63.10890 and 9 VAC 5-80-110)

Facility-Wide Conditions

Limitations

40. **VOC Work Practice Standards** – At all times, the disposal of volatile organic compounds (VOCs) shall be accomplished by taking measures, to the extent practicable, and consistent with air pollution control practices for minimizing emissions. VOCs shall not be intentionally spilled or discarded in sewers which are not connected to a treatment plant, stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution practices for minimizing emissions.
(9 VAC 5-80-110 and Condition 6 of the 7/31/2014 mNSR Permit)
41. **HAP Emission Limits** – Hazardous air pollutants emissions (as defined by §112(b) of the Clean Air Act) from the facility shall not exceed 9.4 tons per year of any individual HAP, or 24.4 tons per year or more of any combination of HAPs, calculated monthly as the sum of each consecutive twelve month period. HAPs which are not accompanied by a specific CAS number shall be calculated as the sum of all compounds containing the named chemical when determining compliance with the individual HAP emissions limitation of 9.4 tons per year. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 3, 8, 20, 21, 27, 28, 29 and 30, or other means as approved by DEQ.
(9 VAC 5-80-110 and Condition 16.b of the 10/4/2013 State Operating Permit)
42. **Maintenance/Operating Procedures** – At all times, including periods of start-up, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.

- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

(9 VAC 5-80-110, Condition 29 of the 10/4/2013 State Operating Permit and Condition 15 of the 7/31/2014 mNSR Permit)

Recordkeeping

43. Records (Facility Wide) – The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Regional Air Compliance Manager, DEQ's Northern Regional Office. These records shall include, but are not limited to:

- a. Annual individual and total hazardous air pollutant (HAP) emission calculations from the grey iron foundry, calculated monthly as the sum of each consecutive 12-month period. The permittee shall use calculation methods approved by the Regional Air Compliance Manager of DEQ's Northern Regional Office. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding eleven months.
- b. Records of scheduled and unscheduled maintenance and operator training.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110, Conditions 25 and 29 of the 10/4/2013 State Operating Permit and Conditions 12 and 15 of the 7/31/2014 mNSR Permit)

Testing

44. Emissions Testing – If DEQ required testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.

(9 VAC 5-80-110)

Insignificant Emission Units

45. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation (Column A)	Pollutant(s) Emitted (9 VAC 5-80-720B)	Rated Capacity (9 VAC 5-80-720C)
PR&VB	Plastic Molding – Cutting & Drilling	9 VAC 5-80-720 A.87	PM	-
ASSBD	Product Assembly: Lid with Terminal Board Assembly	9 VAC 5-80-720 A.22	-	-
AS-3	Product Assembly: Water Meter Pit Extension Manufacture	9 VAC 5-80-720 A.22	-	-
AS-W	Product Assembly – Welding: Valve Handle Extender Assembly	9 VAC 5-80-720 A.22	-	-
FS	Production Equipment Repair: Fabrication and machine shop	9 VAC 5-80-720.A.31	-	-
CR	Production Equipment Repair: Cupola Relining	9 VAC 5-80-720 A.11	-	-
PS-PR	Production Equipment Repair: Pattern Shop – Pattern Repair	9 VAC 5-80-720.A.31	-	-
PS-WW	Production Equipment Repair: Pattern Shop – Wood Working	9 VAC 5-80-720 51.A	-	-
HWA	Waste Management – Hazardous Waste Storage Area	9 VAC 5-80-720 A.57	-	-
BH	Space Heat: Building Heat – Individual Natural Gas Ceiling Mounted Units	9 VAC 5-80-720 A.6	-	-

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Permit Shield & Inapplicable Requirements

46. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR Part 60 (NSPS), Subpart N	Standards Of Performance For Primary Emissions From Basic Oxygen Furnaces (BOPF).	The Cupola does not meet the definition of a BOPF. No high volume oxygen rich gases are introduced. The Cupola is fed ambient air.
40 CFR Part 60 (NSPS), Subpart OOO	Standards of Performance for Non-metallic Mineral Processing Plants	The facility's sand plant does not meet the definition of a non-metallic mineral processing plant – it does not crush or grind sand.
40 CFR Part 60 (NSPS), Subpart UUU	Standards of Performance for Calciners and Dryers in Mineral Industries	1. The sand return line does not have a dryer or calciner; and 2. The charge preparation process does not crush or grind the feed stocks.
40 CFR Part 60 (NSPS), Subpart Y	Standards of Performance for Coal Preparation & Processing Plants	The facility uses coke and not coal. It uses less than 200 tons/day.
40 CFR Part 60 (NSPS), Subpart Z	Standards of Performance for Ferroalloy Production Facilities	The facility does not produce ferroalloys as defined by this NSPS Subpart.
40 CFR Part 60 (NSPS), Subpart I	Standards of Performance for Hot Mix Asphalt Facilities	The facility applies asphalt paint at ambient temperature.
9 VAC 5 Chapter 50	SAPCB Regulations – New and Modified Sources	The metal melting (i.e., Cupola) and charge preparation processes have not been modified post 1972 and are considered existing sources (9 VAC 5 Chapter 40)
9 VAC 5 Chapter 40	SAPCB Regulations – Existing Sources	The mold and core making processes (F-C&M), the pouring and cooling processes, the metal surface coating processes (MSC) and the cleaning and finishing processes (F-C&F) have been modified since 1972 for which mNSR Permit has been issued containing requirements at least as stringent as requirements in 9 VAC 5 Chapter 40.
40 CFR Part 63 (MACT), Subpart EEEEE	Standards for HAPs for Iron and Steel Foundries (at Major HAP Sources)	The facility has state and federally enforceable permit limiting HAPS, classifying

Citation	Title of Citation	Description of Applicability
		facility as an 'area source'.
40 CFR Part 63 (MACT), Subpart EEEE	Standards for HAPS From Organic Liquids Distribution (Non Gasoline)	Facility is not a major HAP source.
40 CFR Part 63 (MACT), Subpart HHHHH	Standards for HAPS for Miscellaneous Coating Manufacturing	Facility is not a major HAP source.
40 CFR Part 63 (MACT), Subpart T	Standards for HAPS from Halogenated Solvent Cleaning	Degreaser used in maintenance is citric acid based; no chlorinated solvent degreasers used.
40 CFR Part 63 (MACT), Subpart MMMM	Standards for HAPS for Surface Coating of Miscellaneous Metal Parts and Products	Facility is not a major HAP source.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9 VAC 5-80-140)

General Conditions

47. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)
48. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
49. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
50. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
51. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
52. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

53. General Conditions - Permit Expiration - The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

54. General Conditions -Recordkeeping and Reporting - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of such analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

55. General Conditions -Recordkeeping and Reporting - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

56. General Conditions -Recordkeeping and Reporting - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and
- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - i. Exceedance of emissions limitations or operational restrictions;

- ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

57. General Conditions - Annual Compliance Certification - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;
- e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and

- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9 VAC 5-80-110 K.5)

- 58. General Conditions - Permit Deviation Reporting** - The permittee shall notify the Regional Air Compliance Manager, DEQ, Northern Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 56 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

- 59. General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Regional Air Compliance Manager, DEQ, Northern Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Regional Air Compliance Manager, DEQ, Northern Regional Office.

(9 VAC 5-20-180 C)

- 60. General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

- 61. General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

62. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

63. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.

(9 VAC 5-80-190 and 9 VAC 5-80-260)

64. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-110 G.5)

65. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.

(9 VAC 5-80-110 G.6)

66. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.

(9 VAC 5-80-110 K.1)

67. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9 VAC 5-80-2310 through 9 VAC 5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9 VAC 5-80-2340, adjusted annually by the change in the Consumer Price Index.

(9 VAC 5-80-110 H, 9 VAC 5-80-340 C and 9 VAC 5-80-2340 B)

68. General Conditions - Fugitive Dust Emission Standards - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90, 9 VAC 5-50-90, Condition 3 of the 10/4/2013 State Operating Permit and Condition 5 of the 7/31/2014 mNSR Permit)

69. General Conditions - Startup, Shutdown, and Malfunction - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E and 9 VAC 5-40-20 E)

70. General Conditions - Alternative Operating Scenarios - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such

alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.
(9 VAC 5-80-110 J)

- 71. General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:
- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
 - b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
 - d. Sample or monitor at reasonable times' substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

- 72. General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F. The conditions for reopening a permit are as follows:

- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

73. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9 VAC 5-80-150 E)
74. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
(9 VAC 5-80-160)
75. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
76. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
(9 VAC 5-80-160)
77. **General Conditions - Malfunction as an Affirmative Defense** - A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements stated in Condition 78 are met.
(9 VAC 5-80-250)
78. **General Conditions - Malfunction as an Affirmative Defense** - The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission,

telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

(9 VAC 5-80-250)

- 79. General Conditions - Malfunction as an Affirmative Defense** - In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

(9 VAC 5-80-250)

- 80. General Conditions - Malfunction as an Affirmative Defense** - The provisions of Conditions 77-79 are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

- 81. General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-190 C and 9 VAC 5-80-260)

- 82. General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

- 83. General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

- 84. General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following:

Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

85. General Conditions - Accidental Release Prevention - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

86. General Conditions - Changes to Permits for Emissions Trading - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

87. General Conditions - Emissions Trading - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
- b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
- c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)